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SERIES I No. 46

# OFFICIAL GAZETTE



## GOVERNMENT OF GOA

### GOVERNMENT OF GOA

Department of Law &amp; Judiciary

Legal Affairs Division

#### Notification

10/7/2005-LA

The following Notifications issued by the Ministry of Environment and Forests, Government of India, New Delhi, are hereby published for the general information of the public.

*Sharad G. Marathe*, Joint Secretary (Law).

Porvorim, 13th December, 2006.

### MINISTRY OF ENVIRONMENT AND FORESTS

#### Notification

*New Delhi, the 27th January, 1994*

S.O. 60 (E).— Whereas a notification under clause (a) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 inviting objections from the public within sixty days from the date of publication of the said notification, against the intention of the Central Government to impose restrictions and prohibitions on the expansion and modernization of any activity or new projects being undertaken in any part of India unless environmental clearance has been accorded by the Central Government or the State Government in accordance with the procedure specified in that notification was published as S.O. No. 80 (E) dated 28th January, 1993;

And whereas all objections received have been duly considered;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby directs that on and from the date of publication of this notification in the Official Gazette, expansion or modernization of any activity if pollution load is to exceed the existing one, or new project listed in Schedule I to this notification, shall not be undertaken in any part of India unless it has been accorded environmental clearance by the Central Government in accordance with the procedure hereinafter specified in this notification;

2. Requirements and procedure for seeking environment clearance of projects;

I (a) Any person who desires to undertake any project in any part of India or the expansion or modernisation of any existing industry or project listed in the Schedule shall submit an application to the Secretary, Ministry of Environment and Forests, New Delhi.

The application shall be made in the proforma specified in Schedule II to this notification and shall be accompanied by a detailed project report which shall, inter alia, include an Environmental Impact Assessment Report and an Environment Management Plan prepared in accordance with the guidelines issued by the Central Government in the Ministry of Environment and Forests from time to time.

(b) Case rejected due to submission of insufficient or inadequate data and Action Plans

may be reviewed as and when submitted with complete data and Action Plans. Submission of incomplete data for the second time would itself be a sufficient reason for the Impact Assessment Agency to reject the case summarily.

II In case of the following site specified projects:

- (a) mining;
- (b) pit-head thermal power stations;
- (c) hydro-power, major irrigation projects and/or their combination including flood control;
- (d) ports and harbours (excluding minor ports).

The project authorities will intimate the location of the project site to the Central Government in the Ministry of Environment and Forests while initiating any investigation and surveys. The Central Government in the Ministry of Environment & Forests will convey a decision regarding suitability or otherwise of the proposed site within a maximum period of thirty days. The said site clearance will be granted for:

— a sanctioned capacity or for any mining lease:

—500 ha or above area, if so required, for prospecting and exploration of minerals,

and it will be valid for a period of five years for commencing the construction, operation or mining.

III (a) The summary feasibility report submitted with the application shall be evaluated and assessed by the Impact Assessment Agency at the Central Government in consultation with a Committee of experts, having a composition as specified in Schedule-III of this Notification. The Impact Assessment Agency (IAA) would be the Union Ministry of Environment and Forests. The Committee of Experts mentioned above shall be constituted by the Impact Assessment Agency concerned or such other body under Central Government authorised by Impact Assessment Agency in this regard.

(b) The said Committee of experts shall have full right of entry and inspection of the site or,

as the case may be, factory premises at any time prior to during or after the commencement of the operations relating to the project.

(c) The Impact Assessment Agency will prepare a set of recommendations based on technical assessment of documents and data, furnished by the project authorities supplemented by data collected during visits to sites or factories and interaction with affected population and environmental groups. Summary feasibility reports, along with the detailed Environmental Management Plans, the recommendation and the conditions subject to which environmental clearance is given shall be made available to the concerned parties or environmental groups on request. Comments of the public may be solicited, if so recommended by IAA within 30 days of receipt of proposal, in public hearings arranged for the purpose after giving one month notice of such hearings in at least two newspapers.

Public shall be provided access to the summary of the project reports and Environmental Management Plans at the Headquarters of the Impact Assessment Agency.

The assessment shall be completed within a period of three months on receipt of the requisite documents and data from the project authorities and completion of public hearing were required and decision conveyed within a maximum of 30 days thereafter. No work, preliminary or otherwise, relating to the setting up of the project may be undertaken till the environmental site clearance is obtained.

IV. In order to enable the Impact Assessment Agency concerned to monitor effectively the implementation of the recommendations and conditions subject to which the environmental clearance has been given, the project authorities concerned shall submit a half-yearly report to the concerned agency. Impact Assessment Agency will make compliance reports publicly available.

V. If no comments from the Impact Assessment Agency received within the time limit, the project would be deemed to have been approved as proposed by project authorities.

3. Nothing contained in this Notification shall apply to;

(a) any time falling under entry Nos. 3, 18 and 20 of the Schedule-I to be located or proposed to be located in the areas covered by the Notification's SO No. 102(E) dated 1st February, 1989; S.O. 114(E) dated 20th February, 1991 and S.O. No. 319(E) dated 7th May, 1992.

(b) any item falling under entry Nos. 1, 2, 3, 4, 5, 7, 9, 10, 12, 13, 14, 16, 17, 19, 25 and 27 of Scheduled if the investment is less than Rs. 50 crores.

(c) any item reserved for Small Scale Industrial sector with investments less than Rs. 1 crore.

4. Concealing factual data or submission of false, misleading data/reports, decisions or recommendations would lead to the project being rejected-approval, if granted earlier on the basis of false data, would also be revoked. Misleading and wrong information will cover the following:

—False information.

—False data.

—Engineering reports.

—Concealing of factual data.

—False recommendations or decisions.

[No. Z-12013/4/89-IA-I]  
R. Rajamani, Secy. (E&F)

#### SCHEDULE-I

(See paras 1 and 2)

#### LIST OF PROJECTS REQUIRING ENVIRONMENTAL CLEARANCE FROM THE CENTRAL GOVERNMENT

1. Nuclear Power and related projects such as Heavy Water Plants, nuclear fuel complex, rare earths.
2. River Valley projects including hydel power, major irrigation and their combination including food control.
3. Ports, Harbours, Airports (except minor ports and harbours).
4. Petroleum Refineries including crude and product pipelines.
5. Chemical Fertilizers (Nitrogenous and Phosphatic) other than single superphosphate).
6. Pesticides (Technical).
7. Petrochemical complexes (Both Olefinic and Aromatic) and Petro-chemical intermediates such as DMT, Caprolactam LAB etc. and production of basic plastics such as LLPDE, HPDE, PP PVC.
8. Bulk drugs and pharmaceuticals
9. Exploration for oil and gas and their production, transportation and storage.
10. Synthetic Rubber.
11. Asbestos and Asbestos products.
12. Hydrocyanic acid and its derivatives.
13. (a) Primary metallurgical industries (such as production of Iron and Steel, Aluminium, Copper Zinc, Lead and Ferror Alloys).  
(b) Electric arc furnaces (Mini Steel Plants).
14. Chlor alkali industry.
15. Integrated paint complex including manufacture of resins and basic raw materials required in the manufacture of paints.
16. Viscose Staple fibre and filament yarn.
17. Storage batteries integrated with manufacture of oxides of lead and lead antimony alloy.
18. All tourism projects between 200m—500 meters of High Water Line at locations with an elevation of more than 1000 meters with investment of more than Rs. 5 crores.
19. Thermal Power plants.
20. Mining projects (with leases more than 5 hectares).
21. Highway Projects.
22. Tarred Roads in Himalayas and or Forest areas.
23. Distilleries.
24. Raw Skins and Hides.
25. Pulp, paper and newsprint.
26. Dyes.
27. Cement.
28. Foundaries (individual).
29. Electroplating.

SCHEDULE-II

[See Sub-para I(a) of Para 3]

APPLICATION FORM

1. (a) Name and Address of the project proposed:

(b) Location of the projects:

Name of the place:

District, Tehsil:

Latitude/Longitude:

Nearest Airport/Railway Station:

(c) Alternate sites examined and the reasons for selecting the proposed site:

(d) Does the site conform to stipulated land use as per local land use plan:

2. Objectives of the project:

3. (a) Land Requirement:

Agriculture Land:

Forest land and Density of vegetation.

Other (specify):

(b) (i) Land use in the Catchment/within 10 Kms. radius of the proposed site:

(ii) Topography of the area indicating gradient, aspects and altitude;

(iii) Erodability classification of the proposed land;

(c) Pollution sources existing in 10 km. radius and their impact on quality of air, water & land:

(d) Distance of the nearest National Park/Sanctuary/ Biosphere Reserve/Monuments/heritage site/Reserve Forest:

(e) Rehabilitation on plan for quarries/borrow areas:

(f) Green belt plan:

(g) Compensatory afforestation plan:

4. Climate and Air Quality:

(a) Windrose at site;

(b) Max./Min./Mean annual temperature;

(c) Frequency of inversion:

(d) Frequency of cyclones/tornadoes/cloud burst:

(e) Ambient air quality data:

(f) Nature & concentration of emission of SPM, Gas (Co, Co<sub>2</sub>, NO<sub>x</sub>, CH<sub>4</sub> etc.) from the project:

5. Water balance:

(a) Water balance at site:

(b) Lean season water availability:  
Water Requirement:

(c) Source to be tapped with competing users (River, lake, Ground, Public supply):

(d) Water quality:

(e) Changes observed in quality and quantity of ground water in the last 15 years and present charging & extraction details:

(f) (i) Quantum of waste water to be released with treatment details:

(ii) Quantum of quality of water in the receiving body before and after disposal of solid wastes:

(iii) Quantum of waste water to be released on land and type of land:

(g) (i) Details of reservoir water quality with necessary Catchment Treatment Plan;

(ii) Command Area Development Plan;

6. Solid wastes:

(a) Nature and quantity of solid wastes generated.

(b) Solid waste disposal method:

7. Noise and Vibrations:

(a) Sources of noise and Vibrations;

(b) Ambient noise level;

(c) Noise and Vibration control measures proposed;

(d) Subsidence problem if any with control measures:

8. Power requirement indicating source of supply : Complete environmental details to be furnished separately, if captive power unit proposed:

9. Peak labour force to be deployed giving details of:

— Endemic health problems in the area due to waste water/air/soil borne diseases:

— Health care system existing and proposal :

10. (a) Number of village and population to be displaced:

(b) Rehabilitation Master Plan:

11. Risk assessment report and Disaster Management Plan:

12. (a) Environment Impact Assessment  
 (b) Environment Management Plan:  
 (c) Detailed Feasibility Report:  
 (d) Duly filled in questionnaire
- Report  
prepared  
as per  
guidelines  
of time to  
time

### 13. Details of Environmental Management Cell:

I hereby give an undertaking that the data and information given above are true to the best of my knowledge and belief and I am aware that if any part of the data/information submitted is found to be false or misleading at any stage, the project be rejected and the clearance given, if any, to the project is likely to be revoked at our risk and cost.

Signature of the applicant  
with name and full address.

Date:  
Place:

Given under the seal of  
Organisation on behalf of  
whom the applicant is signing.

In respect to item for which data are not required or is not available as per the declaration of project proponent, the project would be considered on that basis.

### SCHEDULE III

[See sub-para III(a) of Para 3]

#### COMPOSITION OF THE EXPERT COMMITTEES FOR ENVIRONMENTAL IMPACT ASSESSMENT

1. The evaluation and assessment of development projects at the Central or State level will be undertaken by Experts Committees consisting of experts in each discipline constituted as under:

- (i) Eco-System Management
- (ii) Air/Water Pollution Control
- (iii) Water Resource Management
- (iv) Flora/Fauna conservation and management
- (v) Land, Use Planning
- (vi) Social Sciences/Rehabilitation
- (vii) Project Appraisal
- (viii) Ecology
- (ix) Environmental Health
- (x) Subject Area Specialists
- (xi) Representatives of NGOs/persons concerned with environmental issues.

2. The Chairman will be outstanding and experienced ecologist or environmentalist or technical professional or wide managerial experience in the relevant development sector.

3. The representative of Impacts Assessment Agency/Central/State will act as a Member-Secretary.

4. Chairman and Members will serve in their individual capacities except those specifically nominated as representatives.

5. The Membership of a Committee shall not exceed 15.

### Notification

*New Delhi, the 4th May, 1994*

S. O. 356 (E).— Where as by notification of the Government of India in the Ministry of Environment and Forests No. S.O. 60 (E), dated the 27th January, 1994 (hereinafter referred to as the said notification), issued under sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 the Central Government imposed certain restrictions and prohibitions on the expansion and modernization of any activity or the undertaking of any project unless environmental clearance has been granted by that Government.

And whereas the Central Government is of the opinion that the said notification should be amended.

And whereas sub-rule 4 of rule (5) of the Environment (Protection) Rules, 1986 provides that, Notwithstanding anything contained in sub-rule (3) whenever it appears to the Central Government that it is public interest to do so, it may dispense with the requirement of notice under clause (a) of sub-rule (3).

And whereas the Central Government is of the opinion that it is in public interest to dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 for amending the said notification.

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of

sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rules (3) and (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the said notification, namely:—

2. In the said notification,—

(1) in paragraph 2,—

(a) in sub-paragraph 1,—

(i) in item (a), for the words “a detailed project report which shall, inter alia, include an Environmental Impact Assessment report and an Environment Management Plan”, the words “a project report which shall, inter alia, include an Environmental Impact Assessment Report, Environment Management Plan” shall be substituted:

(ii) in item (b),—

(I) for the words “Action Plans” in both the places where they occur, the word “Plan” shall be substituted;

(II) for the words “incomplete data for” the words “incomplete data or plans for” shall be substituted.

(b) in sub-paragraph II,—

(i) after item (d), the following item shall be inserted, namely:—

(c) Prospecting and exploration of major minerals in areas above 500 hectares”.

(ii) for the portion beginning with the words “The said site clearance” and ending with the words “construction, operation or mining”, the following shall be substituted, namely:—

“The said site clearance shall be granted for a sanctioned capacity and shall be valid for a period of five years for commencing the construction, operation or mining”

(c) in sub-paragraph III,—

(i) in item (a)—

(I) “For the words “The summary feasibility report”, the words “The reports” shall be substituted.

(II) for the words “Agency at the Central Government in consultation with the words “Agency, and if deemed necessary it may consult”, shall be substituted.

(III) the word “concerned” shall be omitted;

(ii) in item (c), for the portion beginning with the words “The Impact Assessment Agency” and ending with the words “environmental site clearance is obtained”. The following shall be substituted, namely:—

“(c) The Impact Assessment Agency shall prepare a set of recommendation based on technical assessment of documents and data, furnished by the project authorities, supplemented by data collected during visits to sites or factories. If undertaken, and interaction with affected population and environmental groups if necessary. Summary of the reports, the recommendation and the conditions, subject to which environmental clearance is given, shall be made available subject to the public interest to the concerned parties or environmental groups on request. Comments of the public may be solicited, if so decided by the Impact assessment Agency, within thirty days of receipt of proposal, in public hearings, arranged for the purpose, after giving thirty days notice of such hearings in at least two newspapers. Public shall be provided access subject to the public interest to the summary of the reports “Environmental management Plans at the Headquarters of the Impact assessment Agency.

The assessment shall be completed within a period of ninety days from receipt of the requisite documents and data from the project authorities and completion of public hearing, where required and decision conveyed within thirty days thereafter.

The clearance granted shall be valid for a period of five years from commencement of the construction or operation.

III A. No construction work, preliminary or otherwise, relating to the setting up of the project may be undertaken till the environmental and site clearance is obtained.

(c) for sub-paragraph IV, the following subparagraph shall be substituted namely:—

“IV. In order to enable the Impact Assessment Agency to monitor effectively the implementation

of the recommendation and conditions subject to which the environmental clearances has been given, the project authorities concerned shall submit a half yearly report to the Impact Assessment Agency. Subject to the public interest the Impact Assessment Agency shall make compliance reports publicly available."

(2) in paragraph 3,—

(i) in item (a), for the letters, words, brackets and figures "and S.O. No. 319 (E) dated 7th May, 1992" the letters, words, brackets and figures "S.O. No. 416 (E) dated 20th June, 1991 and S.O. No. 319 (E) dated the 7th May, 1992" shall be substituted:

(ii) in item (b) for figures "19, 25", the figures "19, 21, 25" shall be substituted,:

(3) in Schedule 1, for item 20 and entries relating thereto, the following shall be substituted, namely;

"20. Mining project (major minerals) with leases more than 5 hectares."

(4) in Schedule III, in item 1, for opening paragraph, the following shall be substituted:—

"1. The Committees will consist of experts in the following disciplines:"

[No. Z-12013/4/89-IA-I]  
K.K. Baksi, Addl. Secy.

*Foot Note :—* The principal notification was issued vide No. S.O. 60 (E) dated 27th January, 1994 and subsequently amended vide No. (1) S.O. 230 (E), dated the 17-3-1994.

### Notification

*New Delhi, the 10th April, 1997*

S.O. 318 (E).— Whereas by notification of the Government of India in the Ministry of Environment and Forests No. S. O. 60(E), dated the 7th January, 1994 (hereinafter referred to as the said notification) issued under sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act) read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 (hereinafter referred to as the said rules), the Central Government imposed certain restrictions and prohibitions on the expansion and modernisation

of any activity or the undertaking of any project, unless environment clearance has been granted by the Government;

And whereas, sub-rule (4) of rule 5 of the said rules provides that, whenever it appears to the Central Government that it is in public interest to do so it may dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules;

And whereas, the Central Government is of the opinion that it is in public interest to dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the said Act read with sub-rule (4) of rule 5 of the said rules, the Central Government hereby makes the following further amendments in the said notification, namely:—

in the said notification,—

(1) in paragraph 2,—

(a) in sub-paragraph I, in item (a), for the words "and an environment Management Plan", "पर्यावरण प्रबंधक योजना" the words, "Environment Management Plan and details of public hearing as specified in Schedule IV" shall be substituted;

(b) in sub paragraph III, for item (c), the following shall be substituted, namely:—

"(c) the Impact Assessment Agency shall prepare a set of recommendations based on the technical assessment of documents and data furnished by the project authorities and supplemented by data collected during visits of sites of factories, if undertaken and details of public hearing.

The assessment shall be completed within a period of ninety days from receipt of the requisite documents and data from the project authorities and completion of public hearing and decision conveyed within thirty days thereafter.

The clearance granted shall be valid for a period of five years from commencement of the construction or operation of the project.",

(2) In Schedule-I, for item 21, the following item shall be substituted, namely:— "Highway Projects except projects relating to improvement work including widening and strengthening of roads

with marginal land acquisition along the existing alignments provided it does not pass through ecologically sensitive areas such as National Parks, Sanctuaries, Tiger reserves, Reserve forests”,

(3) after Schedule-III, the following Schedule shall be added at the end, namely:—

“SCHEDULE IV

(See sub-para I of para 2)

Procedure for Public Hearing

(1) *Process of Public Hearing.*— Whoever apply for environmental clearance of projects, shall submit to the concerned State Pollution Control Board twenty sets of the following documents namely:—

(i) An executive summary containing the salient features of the project both in English as well as local language.

(ii) Form XIII prescribed under Water (Prevention and Control of Pollution) Rules, 1975 where discharge of sewage, trade effluents, treatment of water in any form, is required.

(iii) Form I prescribed under Air (Prevention and Control of Pollution) Union Territory Rules, 1983 where discharge of emissions are involved in any process, operation or industry.

(iv) Any other information or document which is necessary in the opinion of the Board for their final disposal of the application.

(2) *Notice of Public Hearing.*— (i) The State Pollution Control Board shall cause a notice for environmental public hearing which shall be published in at least two newspapers widely circulated in the region around the project, one of which shall be in the vernacular language of the locality concerned. State Pollution Control Board shall mention the date, time and place of public hearing. Suggestions, views, comments, and objections of the public shall be invited within thirty days from the date of publication of the notification.

(ii) All persons including bona fide residents, environmental groups and others located at the project site/sites of displacement/sites likely to be affected can participate in the public hearing. They can also make oral/written suggestions to the State Pollution Control Board.

*Explanation:*— For the purpose of the paragraph person means,—

(a) any person who is likely to be affected by the grant of environmental clearance;

(b) any person who owns or has control over the project with respect to which an application has been submitted for environmental clearance;

(c) any association of persons whether incorporated or not likely to be affected by the project and/or functioning in the field of environment;

(d) any local authority within any part of whose local limits is within the neighbourhood wherein the project is proposed to be located.

(3) *Composition of public hearing panel.*— The composition of Public Hearing Panel may consist of the following, namely:—

(i) Representative of State Pollution Control Board:

(ii) District Collector or his nominee;

(iii) Representative of State Government dealing with the subject;

(iv) Representative of Department of the State Government dealing with Environment;

(v) Not more than three representatives of the local bodies such as Municipalities or panchayats;

(vi) Not more than three senior citizens of the area nominated by the District Collector.

(4) *Access to the Executive Summary.*— The concerned persons shall be provided access to the Executive Summary of the Project at the following places namely:—

(i) District Collector Office;

(ii) District Industry Centre;

(iii) In the Office of the Chief Executive Officers of Zila Parishad or Commissioner of the Municipal Corporation/Local body as the case may be;

(iv) In the head office of the concerned State Pollution Control Board and its concerned Regional Office;

(v) In the concerned Department of the State Government dealing with the subject of environment”.

[No. Z-12013/4/89-IA.I]  
R.H. Khwaja, Jt. Secy.

*Foot Note:*— The Principal notification was published vide No. S.O. 60 (E) dated 27th January, 1994 and subsequently amended vide No. S.O. 356 (E) dated 4th May, 1994.

Notification

New Delhi, the 27th January, 2000

S. O. 73 (E).— Whereas by the notification of the Government of India in the Ministry of



Environment and Forests number S.O. 60(E), dated the 27th January, 1994 (hereinafter referred to as the said notification) issued under sub-section (1) and clause (v) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act) read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 (hereinafter referred to as the said rules), the Central Government imposed certain restrictions and prohibitions on the expansion and modernisation of any activity or undertaking of any new project in any part of India, unless the environmental clearance has been granted by the Central Government in accordance with the procedure specified in the said notification;

And whereas, sub-rule (4) of rule 5 of the said rules provides that, whenever it appears to the Central Government that it is in public interest to do so it may dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules.

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of Section 3 of the said Act read with sub-rule (4) of rule 5 of the said rules, the Central Government hereby makes the following further amendment in the said notification, namely:—

In the said notification,

(i) in paragraph 3, in sub-paragraph (b), item numbers 7, 12 and 14 shall be omitted;

(ii) in Schedule I, after item 29, the following item shall be inserted, namely:—

“30 meta amino phenol”.

[No. Z-12013/4/89-IA-I]  
V. Rajagopalan, Jt. Secy.

*Note:—* The Principal Notification was published in the Gazette of India vide number S.O. 60 (E) dated 27th January, 1994 and subsequently amended vide S.O. 356 (E) dated 4th May, 1994 and S.O. 318 (E) dated 10th April, 1997.

#### Notification

*New Delhi, the 13th December, 2000*

S.O. 1119 (E).— Whereas by notification of the Government of India in the Ministry of Environment and Forests No. S.O. 60 (E), dated

the 27th January, 1994 (hereinafter referred to as said notification) issued under sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act) read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 (hereinafter referred to as the said rules), the Central Government imposed certain restrictions and prohibitions on the expansion and modernisation of any activity or the undertaking of any project, unless environment clearance has been granted by the Government;

And whereas, sub-rule (4) of rule 5 of the said rules provides that, wherever it appears to the Central Government that it is in public interest to do so, it may dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules;

And whereas, the Central Government is of the opinion that it is in public interest to dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules for amending the notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the said Act read with sub-rule (4) of rule 5 of the said rules, the Central Government hereby makes the following further amendments in the said notification, namely:—

In the said notification,—

(i) in paragraph 3, after item 'c' the following item shall be inserted

“(d) defence related road construction projects in border areas”.

[No. Z-12013/4/89-IA. I]  
Dr. V. Rajagopalan, Jt. Secy.

*Foot Note:—* The Principal Notification was published vide number S.O. 60 (E) dated the 27th January, 1994 and subsequently amended vide numbers S.O. 356 (E) dated the 4th May, 1994, S.O. 318 (E) dated the 10th April, 1997 and S.O. 73 (E) dated the 27th January, 2000.

#### Notification

*New Delhi, the 1st August, 2001*

S. O. 737 (E).— Whereas a notification of the Government of India in the Ministry of

Environment and Forests number S.O. 6 (E) dated 3rd January, 2001 was published in the Gazette of India Extraordinary Part II, Section 3, Sub-section (ii) under sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 for inviting objections and suggestions to the amendments proposed to the notification number S.O. 60 (E) dated 27th January, 1994 (hereinafter referred to as the said notification);

And, whereas all suggestions and objections have been duly considered;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments further to amend the said notification, namely:—

In paragraph 2, sub-paragraph I in item (a), the following shall be inserted at the end, namely:—

“However, Public Hearing is not required in respect of (i) small scale industrial undertakings located in (a) notified/designated industrial areas/ industrial estates or (b) areas earmarked for industries under the jurisdiction of industrial development authorities; (ii) widening and strengthening of highways, (iii) mining projects (major minerals) with lease area up to twenty-five hectares, (iv) units located in Export Processing Zones, Special Economic Zones and (v) modernisation of existing irrigation projects.”

[No. Z-12013/4/89-IA.I]

Dr. V. Rajagopalan, Jt. Secy.

*Foot Note*— The Principal Notification was published vide number S.O. 60 (E) dated the 27th January, 1994 and subsequently amended vide number S.O. 356 (E) dated the 4th May, 1994, S.O. 318 (E) dated the 10th April, 1997, S.O. 73(E) dated the 27th January, 2000 and S.O. 1119 (E) dated the 13th December, 2000.

## Notification

*New Delhi, the 21st November, 2001*

S.O. 1148 (E).— Whereas by notification of the Government of India in the Ministry of Environment & Forests No. S.O. 60 (E), dated 27th January, 1994 (hereinafter referred to as the said notification) issued under sub-section (1) and clause (v) of sub-section (2) of section 3 of Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said rules), the Central Government imposed certain restrictions and prohibition on the expansion on modernization of any activity or the undertaking of any project, unless environment clearance has been granted by the Government;

And whereas, sub-rule (4) of rule 5 of the said rules provides that, whenever it appears to the Central Government that it is in public interest to do so it may dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules;

And whereas, the Central Government is of the opinion that it is in public interest to dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the said Act read with sub-rule (4) of rule 5 of the said rules, the Central Government hereby makes the following further amendment in the said notification, namely:—

In the said notification—

(i) in paragraph 3 after sub-para (d) the following sub-para shall be inserted, namely:—

“(c) any item falling under entry No. 8 of Schedule-I covered by the notification G.S.R. 1037(E) dated 5th December, 1989.”

(ii) in Schedule-IV, after paragraph (4), the following shall be inserted, namely:—

“(5) Time period for completion of public hearing:

The public hearing shall be completed within a period of 60 days from the date of receipt of

complete documents as required under paragraph I."

[No. Z- 12013/4/89-IA.I(Part)]  
Dr. V. Rajagopalan, Jt. Secy.

*Foot Note:*— The Principal Notification was published vide number S. O. 60 (E) dated the 27th January, 1994 and subsequently amended vide number S.O. 356 (E) dated the 4th May, 1994, S.O.318 (E) dated the 10th April, 1997, S.O. 73 (E) dated the 27th January, 2000, S.O.1119 (E) dated the 13th December, 2000 and S.O. 737 (E) dated the 1st August, 2001.

### Notification

*New Delhi, the 13th June, 2002*

S.O. 632 (E).— Whereas by notification of the Government of India in the Ministry of Environment and Forests No. S.O. 60 (E), dated 27th January, 1994 (hereinafter referred to as the said notification) issued under sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 (hereinafter referred to as the said Rules), the Central Government imposed certain restrictions and prohibition on the expansion or modernization of any activity or the undertaking of any project, unless environment clearance has been granted by the Central Government;

And whereas, sub-rule (4) of rule 5 of the said Rules provides that, whenever it appears to the Central Government that it is in public interest to do so it may dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules;

And whereas, the central Government is of the opinion that it is in public interest to dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said Rules;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the said Act read with sub-rule (4) of rule 5 of the said Rules, the Central Government hereby makes the following further amendments in the said notification, namely:

In the said notification—

(i) in paragraph 2, in sub-para I, after clause (a), the following provisos shall be added, namely:—

"Provided that for pipeline projects, Environmental Impact Assessment report will not be required:

Provided further, that for pipeline and highway projects, public hearing shall be conducted in each district through which the pipeline or highway passes through":

(ii) in paragraph 3, for sub para (b), the following sub-para shall be substituted, namely:—

"(b) any item falling under entry no. 1,2,3,4,5,7,9,10,13,14,16,17,19,21,25,27 of Schedule-I if the investment is less than Rs. 100 crores for new projects and less than Rs. 50 crores for expansion/modernization projects.";

(iii) in paragraph 3, for sub-para (e), the following sub-para shall be substituted, namely:—

(e) any item falling under entry no. 8 of Schedule-I, if that product is covered by the notification G. S. R. 1037(E) dated 5th December, 1989.

(f) Modernization projects in irrigation sector if additional command area is less than 10,000 hectares or project cost is less than Rs. 100 crores.";

(iv) In Schedule IV, in paragraph (1), for item (i), the following item shall be substituted, namely:—

"(i) An executive summary containing the salient features of the project both in English as well as the local language along with Environmental Impact Assessment (EIA). However, for pipeline project, Environmental Impact Assessment report will not be required. But Environmental Management Plan including risk mitigation measures is required."

(ii) In paragraph (4), for the words "Executive Summary", the words "Executive Summary and Environmental Impact Assessment report" shall be substituted.

2. This notification shall come into force on the date of its publication in the Official Gazette.

[No. Z-12013/4/89-IA. I(Part)]  
Dr. V. RAJAGOPALAN, Jt. Secy.

*Foot Note:—* The Principal Notification was published vide number S. O. 60( E) dated the 27th January, 1994 and subsequently amended vide number S. O. 356 (E) dated the 4th May, 1994, S. O. 318 (E) dated the 10th April, 1997, S. O. 73 (E) dated the 27th January, 2000, S. O. 1119 (E) dated the 13th December, 2000, S. O. 737 (E) dated the 1st August, 2001 and S. O. 1148 (E) dated 21st November, 2001.

### Notification

*New Delhi, the 28th February, 2003*

S. O. 248 (E).— Whereas by a notification of the Government of India in the Ministry of Environment and Forests number S. O. 319 (E) dated the 7th May, 1992 (herein referred to as the said notification) issued under sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (herein referred to as the said rules), the Central Government imposed prohibitions on carrying certain processes and operations in the specified areas of Aravalli range as specified in the said notification, except with prior permission of the Central Government.

And whereas, the Central Government had delegated the aforesaid powers conferred on it by the said notification, of the State Governments of Haryana and Rajasthan vide notification of the Government of India in the Ministry of Environment and Forests number S. O. 1189 (E) dated 29th November, 1999;

And whereas, the Central Government is of the opinion that there should be a uniform procedure for granting environmental clearance to mining projects for major minerals involving mining lease areas of more than five hectares under the provisions of the Environmental Impact Assessment of Development Projects contained in the notification of the Ministry of Environment and Forests number S. O. 60,(E) dated 27th January, 1994;

And whereas, sub-rule (4) of rule 5 of the said rules provides that, whenever it appears to the Central Government that it is in the public interest to do so, it may dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules:

And whereas, the Central Government is of the opinion that it is in the public interest to dispense with the requirement of notice under

clause (a) of sub-rule (3) of rule 5 of the said rules for amending the notifications of the Ministry of Environment and Forests numbers S. O. 60 (E) dated 27th January, 1994 and S. O. 319 (E) dated 7th May, 1992:

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the said Act read with rule 5 of the said rules, the Central Government hereby makes the following further amendments in the aforesaid notifications with effect from the date of publication of this notification in the Official Gazette namely:—

1. In the notification of the Ministry of Environment and Forests number S. O. 60 (E) dated 27th January, 1994, in paragraph 3, in item (a), for the words, figures and letter “nos. 3, 18 and 20 of the Schedule-I”, the words,

figures and letter “numbers 3 and 18 of the Schedule-I” shall be substituted.

2. In the notification of the Ministry of Environment and Forests number S. O. 319 (E) dated 7th May, 1992, in paragraph 1, for item (ii), the following item shall be substituted, namely:—

(ii) Mining processes and operations, except mining project (major minerals) with lease areas of more than five hectares covering—

(a) all new mining operations including renewals of mining leases, or

(b) existing mining leases in sanctuaries or national park and areas covered under Project Tiger, or

(c) mining is being done without permission of the competent authority.”

[F. No. Z-12013/4/89-IA-I (Part)]

Dr. V. Rajagopalan, Jt. Secretary

*Note 1 :—* The Principal notification relating to Environmental Impact Assessment of Development Projects was published in the Gazette of India vide number: S. O. 60 (E) dated the 27th January, 1994 and subsequently amended vide numbers S. O. 356 (E) dated the 4th May, 1994, S. O. 318 (E) dated 10th April, 1997, S. O. 73 (E) dated 27th January, 2000, S. O. 1119(E) dated the 13th December, 2000, S. O. 737 (E) dated the 1st August, 2001, S. O. 1148 (E) dated 21st November, 2001 and S. O. 632 (E) dated 13th June, 2002.

*Note 2 :—* The Principal notification restricting certain activities in specified area of Aravalli range which are causing environmental degradation in the region was published in the Gazette of India vide number S. O. 319 (E) dated the 7th May, 1992 and subsequently amended vide number S. O. 1189 (E) dated the 29th November, 1999.

**Notification***New Delhi, the 7th May, 2003*

S. O. 506 (E).— Whereas by notification of the Government of India in the Ministry of Environment and Forests number S. O. 60 (E), dated 27th January, 1994 (hereinafter referred to as the said notification) issued under sub-section (1) and clause (v) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said rules), the Central Government imposed certain restrictions and prohibitions on the expansion or modernization of any activity or the undertaking of any project, unless environmental clearance has been accorded by the Central Government or the State Government, as the case may be;

And whereas; sub-rule (4) of rule 5 of the said rules provides that, whenever it appears to the Central Government that it is in the public interest to do so, it may dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules;

And whereas, the Central Government is of the opinion that it is necessary in the public interest to dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of Section 3 of the said Act read with sub-rule (4) of rule 5 of the said rules, the Central Government hereby makes the following further amendment in the said notification, namely:-

In the said notification, in Schedule-I, for item No. 2 the following item shall be substituted namely:—

“2 - River valley projects including Hydel Power Projects, Major Irrigation Projects and their combination including flood control project except projects relating to improvement work including widening and strengthening of existing canals with land acquisition upto a maximum of 20 meters (on both sides put together) along the existing alignments provided such canals do not pass through ecologically sensitive areas such as national

parks, sanctuaries, tiger reserves and reserve forests.”

[No. Z-12013/4/89-IA I (Part)]  
Dr. V. Rajagopalan, Jt. Secretary

*Foot Note:—* The Principal Notification was published in the Gazette of India vide No. S. O. 60 (E) dated the 27th January, 1994 and subsequently amended vide number S. O. 356 (E) dated the 4th May, 1994, S. O. 318 (E) dated the 10th April, 1997, S. O. 73 (E), dated the 27th January, 2000, S. O. 1119 (E) dated the 13th December, 2000, S. O. 737 (E) dated the 1st August, 2001, S. O. 1148 (E) dated 21st November, 2001, S. O. 632 (E) dated 13th June, 2002 and S. O. 248 (E) dated 28th February, 2003.

**Notification***New Delhi, the 22nd September, 2003*

S.O. 1087 (E).— Whereas a draft of certain amendments to the notification of the Government of India in the Ministry of Environment and Forests number S.O. 60 (E) dated the 27th January, 1994 was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) dated the 26th September, 2002 vide S.O. 1043 (E) dated the 26th September, 2003 under sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of the Gazette containing the said draft amendments were made available to the public;

And, whereas all objections and suggestions received have been duly considered by the Central Government:

And whereas copies of the Gazette containing the said draft amendments were made available to the public on the 4th October, 2002;

Now therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the said notification number S. O. 60 (E) dated the 27th January, 1994, namely:—

## Amendments

## Notification

In the said notification.—

(1) in paragraph 2,—

(i) in sub-paragraph 1,—

(a) in item (a), in sub-item (iv), the word “and” occurring at the end shall be omitted;

(b) after sub-item (v), the following shall be inserted, namely:-

“(vi) offshore exploration activities, beyond 10 kilometres from the nearest habitated village boundary, gaothans and ecologically sensitive areas such as, mangroves (with a minimum area of 1000 sq. m.) corals, coral reefs, national parks, marine parks, sanctuaries, reserve forests and breeding and spawning grounds of fish and other marine life.”:

(ii) in sub-paragraph II, after item (e), the following item shall be inserted, namely:-

“(f) greenfield airports, petrochemical complexes and refineries.”

(2) in Schedule 1,-

(a) for item 4, the following item shall be substituted, namely:-

“4. Petroleum refineries including crude and product pipelines; isolated petroleum product storages.”.

[F. No. Z-12013/4/89-1A 1 (Part)]  
R. CHANDRAMOHAN, Jt. Secy.

*Foot Note:*— The Principal Notification was published vide S. O. 60 (E) dated the 27th January, 1994 and subsequently amended vide number S. O. 356 (E) dated the 4th May, 1994, S. O. 318 (E) dated the 10th April, 1997, S. O. 73 (E) dated the 27th January, 2000, S. O. 1119 (E) dated the 13th December, 2000, S. O. 737 (E) dated the 1st August, 2001, S. O. 1148 (E) dated the 21st November, 2001, S. O. 632 (E) dated the 13th June, 2002, S. O. 248 (E) dated the 28th February, 2003, S. O. 506 (E) dated the 7th May, 2003 and S. O. 891 (E) dated the 4th August, 2003.

*New Delhi, the 7th July, 2004*

S. O. 801 (E).— Whereas a draft of certain amendments to the notification of the Government of India in the Ministry of Environment and Forests number S. O. 60 (E), dated the 27th January, 1994 was published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii) vide number S. O. 1236 (E), dated the 27th October, 2003 inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of the Gazette containing the said notification were made available to the public;

And whereas, copies of the said notification were made available to the public on 27th October, 2003;

And whereas, the Orders of the Hon'ble Supreme Court in the Writ Petition (C) No. 725 of 1994 with I. A. No. 20, 21, 1207, 1183, 1216 and 1251 in Writ Petition (C) No. 4677 of 1985 in the matter of news item published in Hindustan Times titled “And Quiet Flows the Maily Yamuna” vs. Central Pollution Control Board and Others have been duly considered;

And whereas, the Orders of Hon'ble High Court of Madras in W. P. (C) No. 33493 of 2003 and W. P. Nos. 35205, 35517, 35691, 35692 and 35825 of 2003 and W. P. M. P. Nos. 40556, 42562, 43720, 45348 to 45350, 42791, 42792, 43882, 43181, 43366 to 43369, 43544 and 43545 of 2003 between C. S. Kuppuraj and others Vs. the State of Tamil Nadu and others have also been duly considered;

And whereas, all objections and suggestions received have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendments in the notification number S. O. 60 (E), dated the 27th January, 1994, namely:-

In the said notification,-

I. in paragraph 3-

(i) in item (a), for the letters, word and figures “Nos 3, 18 and 20”, the letters, word and

figures “Nos. 3, 18, 20, 31 and 32” shall be substituted;

(ii) after sub-para (f), the following shall be inserted, namely:-

“(g) any construction project falling under entry 31 of Schedule-I including new townships, industrial townships, settlement colonies, commercial complexes, hotel complexes, hospital and office complexes for 1,000 (one thousand) persons or below or discharging sewage of 50,000 (fifty thousand) litres per day or below or with an investment of Rs. 50,00,00,000/- (Rupees fifty crores) or below.

(h) any industrial estate falling under entry 32 of Schedule-I including industrial estates accommodating industrial units in an area of 50 hectares or below but excluding the industrial estates irrespective of area if their pollution potential is high.

*Explanation.—*

(i) New construction projects which were undertaken without obtaining the clearance required under this notification, and where construction work has not come up to the plinth level, shall require clearance under this notification with effect from the 7th day of July, 2004.

(ii) In the case of new Industrial Estates which were undertaken without obtaining the clearance required under this notification, and where the construction work has not commenced or the expenditure does not exceed 25% of the total sanctioned cost, shall require clearance under this notification with effect from the 7th day of July, 2004.

(iii) Any project proponent intending to implement the proposed project under sub-para (g) and (h) in a phased manner or in module, shall be required to submit the details of the entire project covering all phases or modules for appraisal under this notification”;

II. in Schedule-I, after item 30 and the entry relating thereto, the following shall be inserted, namely:-

“31. New construction projects.

32. New industrial estates.”;

III. in Schedule-II,-

(i) in para 5, for sub-para (f), the following shall be substituted, namely:-

“(f) (i) The quantum of existing industrial effluents and domestic sewage with incremental load to be released in the receiving water body due to the proposed activities along with treatment details;

(ii) The quantum and quality of water in the receiving water body before and after disposal of solid wastes including municipal solid wastes, industrial effluents and domestic sewage;

(iii) The quantum of industrial effluents and domestic sewage to be released on land and type of land;”;

(ii) in para 6, for sub-para (a), the following shall be substituted, namely:-

“(a) Nature and quantity of solid wastes generated including municipal solid wastes, biomedical wastes, hazardous wastes and industrial wastes.”.

[No. Z-11011/1/2002-IA-I]

R. CHANDRAMOHAN, Jt. Secy.

*Note:—* The principal notification was published in the Gazette of India vide number S. O. 60 (E) dated 27-1-1994 and subsequently amended vide:

- 1) S. O. 356 (E) dated 4th May, 1994,
- 2) S. O. 318 (E) dated 10th April, 1997,
- 3) S. O. 73 (E) dated 27th January, 2000,
- 4) S. O. 1119 (E) dated 13th December, 2000,
- 5) S. O. 737 (E) dated 1st August, 2001,
- 6) S. O. 1148 (E) dated 21st November, 2001,
- 7) S. O. 632 (E) dated the 13th June, 2002,
- 8) S. O. 248 (E) dated the 28th February, 2003,
- 9) S. O. 506 (E) dated the 7th May, 2003,
- 10) S. O. 891 (E) dated the 4th August, 2003,
- 11) S. O. 1087 (E) dated the 22nd September, 2003.

**Notification**

No. 10/7/2005-LA

The following Notifications issued by the Ministry of Environment and Forests, Government of India, New Delhi, are hereby published for the general information of the public.

*Sharad G. Marathe*, Joint Secretary, (Law).

Porvorim, 13th December, 2006.

**Notification**

*New Delhi, the 10th April, 1997*

S.O. 319 (E).— In exercise of the powers conferred by section 23 of the Environment (Protection) Act, 1986 (29 of 1986) (Hereinafter referred to as the said Act), the Central Government hereby directs that the powers conferred on it by sub-section (1) of section 3 of the said Act to take measures for protecting and improving the quality of the environment and preventing, controlling and abating environmental pollution be exercisable also by the State Government as notified in the notification of the Government of India in the Ministry of Environment and Forests No. S.O. 60 (E) dated the 27th January, 1994 in relation to the Thermal Power Plants specified in Schedule-I annexed to this notification subject to the conditions and limitations specified in Schedule-II annexed to this notification.

**SCHEDULE-I**

Category of Thermal Power Plants requiring environmental clearance from the State Government.

**I. Co-generation Captive Plants:**

- (i) Co-Generation Plants All Co-generation Plants irrespective of the installed capacities.
- (ii) Captive Power Plants: Upto 250 MW (both coal and gas/naphtha based) coming up separately and not along the main industry.

**II. Utility Projects:**

- (i) Coal based plants upto 500 MW using fluidized bed technology subject to sensitive areas restrictions.
- (ii) Coal based Power Plants upto 250 MW using conventional technologies.
- (iii) Gas/Naphtha based plants upto 500 MW.

*Note :—* Any project proposed to be located within the radius of twenty five km boundary of reserved forests, ecologically sensitive area which may include National Parks, Sanctuaries, Biosphere Reserves, critically polluted area and within fifty kms of inter-state boundary shall require environmental clearance from the Central Government.

**SCHEDULE-II**

Procedure for seeking environment clearance of projects.

1. (1) Any persons who desires to establish a thermal power plant of any category mentioned in Schedule-I, shall submit an application to the Department of the State Government dealing with the subject of Environment.

(2) The application shall be made in the Form 'A' specified in Schedule-II annexed to this notification and shall be accompanied by a detailed project report which shall, inter alia, include an Environmental Impact Assessment Report and an Environment Management Plan prepared in accordance with the guidelines issued by the State Department of Environment from time to time.

(3) Cases rejected due to submission of insufficient or inadequate data and Action Plans may be reviewed as and when submitted with complete data and Action Plans. Submission of incomplete data for the second time would itself be a sufficient reason for the State Government to reject the case summarily.

2. In case of the pit-head thermal power plants, the applicant shall intimate the location of the project site to the State Government while initiating any investigation and surveys. The State Government will convey a decision regarding suitability or otherwise of the proposed site within a maximum period of thirty days. The said site clearance will be granted for a sanctioned capacity and it will be valid for a period of five years for commencing the construction or operation of the project.

3. (1) The applicant shall obtain No Objection Certificate from the concerned Pollution Control Board. The State Pollution Control Board shall issue No Objection Certificate to establish only after completing public hearing as specified in Schedule-IV annexed to this notification.

(2) The reports submitted with the application, and No Objection Certificate from the State Pollution Control Board shall be evaluated and assessed by the State Government, in consultation with a Committee of experts which shall be constituted by the State Government as specified in Schedule-III appended to this notification.

(3) The said Committee of experts shall have full right of entry and inspection of the site or, as the case may be, factory premises at any time prior to, during or after the commencement of the operations relating to the plant.

(4) The State Government Department dealing with the subject of Environment shall prepare a set of recommendations based on technical assessment of



documents and data furnished by the applicant supplemented by data collected during visits to sites, if undertaken and interaction with affected population and environment groups, if necessary.

(5) The assessment shall be completed within a period of ninety days from receipt of the requisite documents and data from the applicant and decision conveyed within thirty days thereafter.

(6) The environmental clearance granted shall be valid for a period of five years from commencement of the construction or operation of the project.

4. Concealing factual data or submission of false, misleading data or reports, decisions of recommendations would lead to the project being rejected. Approval, if granted, earlier on the basis of false data, can also be revoked.

### (FORM A)

#### APPLICATION FORM

1. (a) Name and Address of the project proposed:

(b) Location of the Project:

Name of the place:

District, Tehsil:

Latitude/Longitude:

Nearest Airport/Railways station:

(c) Alternate sites examined and the reasons for selecting the proposed site:

(d) Does the site conform to stipulated land use as per local land use plan:

2. Objectives of the project:

3. (a) Land Requirement:

Agriculture Land:

Forest land and Density of Vegetation other (specify):

(b) (i) Land use in the Catchment/within 10 Kms. radius of the proposed site:

(ii) Topography of the area indicating gradient, aspects and altitude:

(iii) Erodibility classification of the proposed land:

(c) Pollution sources existing in 10km radius and their impact on quality of air, water and land:

(d) Distance of the nearest National Park/sanctuary/ Biosphere Reserve/Monuments/heritage site/Reserve Forest:

(e) Rehabilitation plan for quarries/borrow areas:

(f) Green belt plan:

(g) Compensatory afforestation plan:

4. Climate and Air Quality:

(a) Windrose at site:

(b) Max/Min/Mean annual temperature:

(c) Frequency of inversion:

(d) Frequency of cyclones/tornadoes/cloud burst:

(e) Ambient air quality data:

(f) Nature and concentration of emission of SPM, Gas (CO, CO<sub>2</sub>, NO<sub>x3</sub>, CH<sub>n</sub> etc.) from the project:

5. Water balance:

(a) Water balance at site:

(b) Lean season water availability:

Water Requirement:

(c) Source to be tapped with competing users (River, Lake, Ground, Public supply):

(d) Water quality:

(e) Changes observed in quality and quantity of ground water in the last 15 years and present charging and extraction details:

(f) (i) Quantum of waste water to be release with treatment details:

(ii) Quantum of quality of water in the receiving body before and after disposal of solid wastes:

(iii) Quantum of waste water to be released on land and type of land:

(g) (i) Details of reservoir water quality with necessary Catchment Treatment Plan:

(ii) Command Area Development Plan:

6. Solid wastes:

(a) Nature and quantity of solid wastes generated:

(b) Solid waste disposal method:

7. Noise and Vibrations:

(a) Sources of Noise and Vibrations:

(b) Ambient noise and level:

SCHEDULE-III

(c) Noise and Vibration control measures proposed:

[See Sub. para (2), Para 3 of Schedule-II]

(d) Subsidence problem if any with control measures:

Composition of The Expert Committees for environmental Impact Assessment

8. Power requirement indicating source of supply : Complete environmental details to be furnished separately, if captive power unit proposed:

1. The Committees will consist of experts in the following disciplines:

9. Peak labour force to be deployed giving details of: Endemic health problems in the area due to waste water/ /air/soil borne diseases:

- (i) Eco-System Management
- (ii) Air/Water Pollution Control
- (iii) Water Resource Management
- (iv) Flora/Fauna Conservation and management
- (v) Land Use Planning
- (vi) Social Sciences/Rehabilitation
- (vii) Project Appraisal
- (viii) Ecology
- (ix) Environmental Health
- (x) Subject Area Specialists
- (xi) Representatives of NGOs/persons concerned with environmental issues.

Health care system existing and proposed:

10. (a) Number of villages and population to be displaced:

(b) Rehabilitation Master Plan:

11. Risk Assessment Report and Disaster Management Plan:

12. (a) Environmental Impact Assessment:

(b) Environment Management Plan:

(c) Detailed Feasibility Report:

(d) Duly filled in questionnaire:

Report prepares as per guidelines issued by the Central Government in the MOEF from time to time:

13. Details of Environmental Management Cell:

I hereby give an undertaking that the data and information given above are true to the best of my knowledge and belief and I am aware that if any part of the data/information submitted is found to be false or misleading at any Stage, the project be rejected and the clearance given, if any, to the project is likely to be revoked at our risk and cost.

2. The Chairman will be an outstanding and experienced ecologist or environmentalist or technical professional with wide managerial experience in the relevant development sector.

3. The representative of Impact Assessment Agency will act as a Member-Secretary.

4. Chairman and Members will serve in their individual capacities except those specifically nominated as representatives.

5. The Membership of a Committee shall not exceed 15.

Signature of the applicant  
with name and full address

“SCHEDULE-IV

Given under the seal of Organisation  
on behalf of whom the applicant is signing.

[See para 3, subparagraph (2) of Schedule-II]

PROCEDURE FOR PUBLIC HEARING

Date:

(1) *Process of Public Hearing*:— Whoever apply for environmental clearance of projects, shall submit to the concerned State Pollution Control Board twenty sets of the following documents namely:—

Place:

In respect to item for which data are not required or is not available as per the declaration of project proponent, the project would be considered on that basis.

- (i) An Executive summary containing the salient features of the project both in English as well as local language.

(ii) Form XIII prescribed under Water (Prevention and Control of Pollution) Rules, 1975 where discharge of sewage, trade effluents, treatment of water in any form, is required.

(iii) Form I prescribed under Air (Prevention and Control of Pollution) Union Territory Rules, 1983 where discharge of emissions are involved in any process, operation or industry.

(iv) Any other information or document which is necessary in the opinion of the Board for their final disposal of the application.

(2) *Notice of Publics Hearing*.— (1) The State Pollution Control Board shall cause a notice for environmental public hearing which shall be published in at least two newspapers widely circulated in the region around the project, one of which shall be in the vernacular language of the locality concerned. State Pollution Control Board shall mention the date, time and place of public hearing. Suggestions, views, comments, and objections of the public shall be invited within thirty days from the date of publication of the notification.

(ii) All persons including bonafide residents, environmental groups/and others located at the project site/sites of displacement/sites likely to be affected can participate in the public hearing. They can also make oral/written suggestions to the State Pollution Control Board.

*Explanations*.— For the purpose of the paragraph person means—

(a) any person who is likely to be affected by the grant of environmental clearance;

(b) any person who owns or has control over the project with respect to which an application has been submitted for environmental clearance;

(c) any association of persons whether incorporated or not likely to be affected by the project and/or functioning in the field of environment;

(d) any local authority within any part of whose local limits is within the neighbourhood wherein the project is proposed to be located.

(3) *Composition of public hearing panel*.— The composition of Public Hearing Panel may consist of the following, namely:—

(i) Representative of State Pollution Control Board;

(ii) District Collector or his nominee;

(iii) Representative of State Government dealing with the subject of power;

(iv) Representative of department of the State Government dealing with Environment;

(v) Not more than three representatives of the local bodies such as Municipalities or Panchayats;

(vi) Not more than three senior citizens of the area nominated by the District Collector.

(4) *Access to the Executive Summary*.— The concerned persons shall be provided access to the Executive Summary of the Project at the following places namely:—

(i) District Collector Office;

(ii) District Industry Centre;

(iii) In the Office of the Chief Executive Officer of Zila Parishad or Commissioner of the Municipal Corporation/Local body as the case may be;

(iv) In the head office of the concerned State Pollution Control Board and its concerned Regional Office;

(v) In the concerned Department of the State Government dealing with the subject of environment".

[No. Z-12013/4/89-I. A. I]  
R.H. Khwaja, Jt. Secy.

### Notification

*New Delhi, the 4th August, 2003.*

S.O. 891 (E).— Whereas by notification of the Government of India in the Ministry of Environment and Forests number S.O. 60 (E) dated the 27th January, 1994 issued under Sub-section (1) and clause (v) of Sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule 5 of the Environment (Protection) Rules, 1986, the Central Government imposed certain restrictions and prohibitions on the expansion or modernization of any activity or new projects being undertaken in any part of India unless environmental clearance has been accorded by the Central Government and the State Government in accordance with the procedure specified therein;

And whereas by notification number S.O. 319 (E) dated the 10th April, 1997 (hereinafter referred to as the said notification), issued under Section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government delegated, subject to certain conditions and limitations, certain powers exercisable by that Government under notification number S.O. 60 (E) dated the 27th January, 1994 in relation to thermal power plants.

Now, therefore, in exercise of powers conferred by Section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Environment and Forests number S.O. 319 (E) dated the 10th April, 1997, namely:—

### Amendment

In Schedule 1 to the said notification, for the Note, the following Note shall be substituted, namely:—

“Note—Every project proposed to be located in—

- (a) a critically polluted area; or
- (b) within a radius of fifteen kilometers of the boundary of—
  - (i) reserved forests,
  - (ii) ecologically sensitive areas which include national parks, sanctuaries, biosphere reserves; and
  - (iii) any state,

shall require environmental clearance from the Central Government.”

[No.Z-12013/4/89-IA-I]  
Dr. V. Rajagopalan, Jt. Secy.

Note:— The principal notification was published in the Gazette of India vide number S.O. 319 (E) dated the 10th April, 1997.

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## Department of Personnel

### Notification

1/3/89-PER (Pt. II)

In exercise of the powers conferred by the proviso to Article 309 of the Constitution and in supersession of the existing recruitment rules for the relevant post, the Governor of Goa hereby makes the following rules to regulate the recruitment to the Goa General Service, Group ‘A’, Gazetted post in the Government Polytechnic, Government of Goa, namely:—

1. *Short title, application and commencement.*— (1) These rules may be called the Government of Goa, Government Polytechnic, Group ‘A’, Gazetted post, Recruitment Rules, 2007.

(2) They shall apply to the post specified in column (1) of the Schedule to these rules (hereinafter called as the “said Schedule”).

(3) They shall come into force from the date of their publication in the Official Gazette.

2. *Number, classification and scale of pay.*— The number of posts, classification of the said post and the scale of pay attached thereto shall be as specified in columns (2) to (4) of the said Schedule:

Provided that the Government may vary the number of posts as specified in column (2) of the said Schedule from time to time subject to exigencies of work.

3. *Method of recruitment, age limit and other qualifications.*— The method of recruitment to the said post, age limit, qualifications and other matters connected therewith shall be as specified in columns (5) to (13) of the said Schedule.

4. *Disqualification.*— No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. *Power to relax.*— Where, the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, and in consultation with the Goa Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons.

6. *Saving.*— Nothing in these rules shall affect reservations, relaxation of age limit and other concessions required to be provided for Scheduled Castes, and other special categories of persons in accordance with the orders issued by the Government from time to time in that regard.

7. These rules are issued in consultation with the Goa Public Service Commission conveyed vide their letter No. COM/II/13/34(3)/94 dated 5-9-2005.

By order and in the name of the Governor of Goa.

Yetindra M. Maralkar, Joint Secretary (Personnel).

Porvorim, 23rd January, 2007.

SCHEDULE

Name / /Desig- nation of post	Number of posts	Classifi- cation	Scale of pay	Whether selection post or non- -selection post	Age limit for direct recruits	Whether the benefit of added years of service is admissible under Rule 30 of CCS (Pension) Rules, 1972	Educational and other qualifications required for direct recruits	Whether age and educa- tional qualifications pre- scribed for the direct re- cruits will apply in the case of promotees	Period of pro- ba- tion, if any	Method of recruitment, whether by direct recruit- ment or by promotion or by deputation/ /transfer/ /contract and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/ /deputation/ /transfer, grades from which promo- tion/ /deputation/ /transfer is to be made	If a D.S.C./ /D.P.C. exists, what is its compo- sition	Circumstances in which Goa Public Service Commis- sion is to be consulted in making recruitment
1	2	3	4	5	6	6(a)	7	8	9	10	11	12	13
Head of Depart- ment (Huma- nities and Scien- ces).	2 (2007). (Subject to variation and depen- dent on work- load).	Goa General Service Group 'A' Gazetted.	Rs. 12000- 375- 18000.	N. A.	Not exceed- ing 45 years (Relaxable for Govern- ment servants upto 5 years in accor- dance with the instruc- tions or orders issued by the Govern- ment).	N.A.	<p><i>Essential:</i> (1) Ph. D in appropriate branch of Humanities and Science with 5 years experience in teaching or in Industry or in Research, at the level of lecturer or equivalent.</p> <p><i>Note :</i> Appropriate branch means subjects such as Maths, Physics, Chemistry and English, as the case may be.</p> <p>(ii) Knowledge of Konkani.</p> <p><i>Note:</i> In case of non-availability of a suitable candidate with the knowledge of Konkani, this requirement can be relaxed.</p> <p><i>Desirable:</i> Knowledge of Marathi.</p>	N. A.	Two years.	Direct recruitment.	N. A.	Group 'A' D.S.C/ /D.P.C.  Consisting of: 1) Chairman/ /Members of Goa Public Service Commission —Chairman.  2) Chief Secretary or his nominee —Member.  3) Administra- tive Secretary/ /Head of Department —Member.	As required under the Goa Public Service Commission (Exemption from consultation) Regulations, 1988. Consultation with the Goa Public Service Commission is necessary while making direct recruitment, confirmation, selection of an officer for appointment on deputa- tion and while amending/ /relaxing any of the provisions of these rules.

Department of Social Welfare

Directorate of Social Welfare

**Notification**

DSW/13/9//2006-SWD

Government is hereby pleased to introduce the "Gouly Development Plan", a scheme with an objective to bring all the Gouly households staying in the State of Goa above the poverty line within a period of 2 years. This scheme is supplementing the present Centrally Sponsored Schemes namely Swarnjayanti Gram Swarozgar Yojana (SGSY), Indira Awaas Yojana (IAY), State sponsored scheme "Rajiv Awaas Yojana" financial assistance to the Scheduled Castes/Scheduled Tribes/Other Backward Classes for Housing and Free Gas connection to the Below Poverty Line families and Solar Lantern under National Renewable Source of Energy scheme.

1. *Short title and commencement.*— (i) This scheme shall be called the "Gouly Development Plan – 2006".

(ii) It shall come into force at once.

2. *Objectives.*— The objective of the scheme is to bring all the Gouly families in the State of Goa above the poverty line within a period of 2 years. It is estimated that in the State of Goa, there are about 1474 households who are still living deep inside of forest/remote area and financially in poor conditions. It is proposed to bring these families above the poverty line within next two years.

To achieve the goal to bring the households above the poverty line, following fields are targeted:—

(i) To provide the assistance for livelihood through Self Employment.

(ii) To provide shelter to the Family.

(iii) To provide household equipments which will improve the health of women and families.

3. *Status.*— The programme will be implemented as a State Scheme. The State would provide entire (100%) funds, under the Scheme.

4. *Target Group.*— All the Gouly families of the State of Goa are targeted under this scheme whose income is less than Rs. 1.20 lakhs per annum.

5. *Definition of Gouly families.*— The Gouly family means:— Families identified as per the survey conducted by the Committee constituted by the State Government to submit the report to include this community in Scheduled Tribe list.

6. *Provide the Assistance for Livelihood Through Self Employment.*—

*Project cost and subsidy.*— Target group family will be provided financial assistance under S.G.S.Y. Scheme (A scheme of Government of India for Self Employment) to start self-employment, through the District Rural Development Agencies. As per the above scheme maximum subsidy is 30% of project cost subject to Rs. 7500/- per family. In case the applicant family desires to take the project more than Rs. 25000/-, additional subsidy equivalent to the 30% of the project cost will be provided by the State Government.

7. *Shelter*

a. *Land.*— It is estimated that about 500 households of targeted families require land for shelter. Households who do not possess their own land or Mundkarial land, Government will acquire the land and allot 100 sq. mts. for such household.

b. *Financial assistance for construction, new construction re-construction and upgradation.*— Most of the households require financial assistance for new construction, re-construction or upgradation of their houses. As the amount of financial assistance for new construction, re-construction and upgradation is available under Centrally Sponsored scheme I.A.Y. and state scheme, R.A.Y. or any other housing schemes of the State, no additional funds provision is required for new construction, re-construction and upgradation.

8. *Gas connection to the Families.*— The health of women's of the family play major role for economic upliftment of family. Most of the Gouly families are still using traditional firewood for the purpose of cooking, which cause health hazard of women of the family. Hence, each family will be provided free L. P. G. Gas connection, which includes the cost of Stove.

In case houses are of palm leaves, gas connection will be given only on willingness of female member of the family and after fully satisfied about their capability of its use.

### 9. Basic Amenities—

#### *Electricity:—*

*Solar lantern:—* 13 hamlets are situated on top of the hill or in remote area, where taking the electric line are not physically possible. Hence such households will be assisted by Solar lantern - (2 per house).

10. *Legal Assistance to get Mundkarial Rights:—* As per the survey report about 1000 households staying either in Private land or Comunidade land or Devasthan land all these land owners are considered as Bhatkar, as they are staying in the property prior to the appointment date under the Mundkar Act (i.e. 12-5-1975). But due to lack of knowledge of law and illiteracy, they were unable to get registered under the Mundkar Act. Hence, two young professional Law Graduates will be appointed (One for North Goa and another for South Goa) on contract basis for a period of three months to prepare the legal documents and process and pursue the matter with the Revenue Courts. Besides this, two surveyors for measuring the

houses and prepare the Plan which is required to be attached with application shall also be appointed on contract basis. The work of submission of applications will be completed within a period of three months.

11. *Incentive for promotion of Efforts for poverty evaluation:—* Gouly families are spread over under the jurisdiction of 61 Village Panchayats & 9 Municipal councils. The Village Panchayat/ Municipal Council in which all the Gouly families are brought above the poverty line will be given an additional development grants as an incentive to Panchayats/Municipalities, from which V. P./ Municipalities can take up any project in these area. Besides the above awards will also be given to the head of the institutions.

By order and in the name of the Governor of Goa.

*N. D. Agrawal*, ex officio Joint Secretary & Director of Social Welfare.

Panaji, 30th January, 2007.